

NIXON SAYS NATION NEEDS OLD-TIME PIONEER SPIRIT

Food Stamp Cases Are In Court

BH Man Pleads Guilty; Another Stands Mute

One man pleaded guilty and another stood mute Friday in Berrien Fifth District court when arraigned on charges of welfare fraud involving food stamps.

The arrests are part of investigation in a three-county area into what authorities fear may be deception by some persons in obtaining food stamps.

Pleading guilty was Charlie Ray, Jr., 49, of 825 East Main street, Benton Harbor. He was jailed in lieu of \$100 bond to await sentence for the misdemeanor.

Jailed in lieu of \$500 bond after he stood mute to the charge was John Henry Powell, 46, a worker on the farm of Robert Lemon, Lemon Creek road, Berrien Springs. A plea of not guilty was entered for him.

Each is charged with making a false statement to obtain food stamps worth less than \$500.

Ray was arrested by St. Joseph police. On July 2 he allegedly obtained \$84 of food stamps under false pretenses. Powell was arrested Thursday by Berrien county sheriff's officers in the course of an investigation begun after the department received information that a man was trying to sell \$800-worth of stamps to patrons of a bar.

Det. Fred Reeves said records of the social services department show that a man named Powell drew a total of \$386 in stamps during April, May and June. Officials in Allegan and Van Buren counties also are investigating the case, Reeves said.

Guard Units Will Move To Grayling

LANSING (AP) — The State Highway Department advises motorists units of both the Michigan and Indiana National Guard will be moving to and from Camp Grayling over the next two weeks. Major highways in use by the guard units will include Interstate 75, U.S. 23, I-69, U.S. 131, U.S. 27, U.S. 127, I-94 and M-66. The military convoys will be moving at speeds less than normal traffic, at between 30 and 50 miles an hour.

Tonight Josh Wind in the lounge 9-1. Captain's Table. Adv.

Paseals Furniture open every Mon. eve. until 9 p.m. Adv.



AMONG THE CROWD: President Nixon mixes with well-wishers at the Fargo, N.D., airport shortly after getting off Air Force One. Nixon spent a few minutes shaking hands before heading for a scheduled conference with northern Great Plains governors Friday afternoon. The president was greeted by a crowd estimated at 6,000 on his stopover en route to the Western White House at San Clemente, Calif. (AP Wirephoto)

Astronauts Are Model For Nation

President On Tour In Plains States

By FRANK CORMIER
Associated Press Writer

SAN CLEMENTE, Calif. (AP) — Exactly a year after welcoming America's moon pioneers back to earth, President Nixon said he would like to see at home the sort of pioneering spirit "that doesn't blame adversity on somebody else but tries to do something about it."

Speaking without notes, Nixon made the remark Friday night before a large—if dissent-studded crowd—in Salt Lake City en route here for an 11-day stay at the Western White House.

Earlier in his transcontinental trip Nixon stopped in Fargo, N.D., to confer on rural problems—especially farm-to-city migration—with five Plains state governors and five upper Middle West mayors.

Republicans are mounting strong challenges against incumbent Democratic senators in both states.

Nixon talked about the pioneering spirit while standing on the steps of the Salt Lake City administrative offices of the Mormon Church, flanked by top leaders of that faith.

Friday was "Pioneer Day" in Utah, a holiday marking the 123rd anniversary of the discovery of the Salt Lake valley by founders of the Church.

While scores of antiwar demonstrators made recurrent efforts to drown him out with "Peace Now!" chants, and others chanted "We want Nixon," the President declared that Pioneer Day had a message for all America:

"It is that kind of spirit... that sees a great problem but, the greater the problem, puts in greater effort; the kind of spirit that doesn't blame adversity on somebody else, but tries to do something about it himself."

Nixon went on to recall that last July 24 he was aboard the aircraft carrier Hornet to welcome back the first men to land on the moon.

He said that the spirit that took men to the moon—just as it brought the pioneers to Salt Lake City—has "built the greatest country on the earth."

He went on: "And let me remind us all on this day, we in America know that we aren't perfect. We in America know that we have problems. But we also know that we are blessed

(See back page, sec. 1, col. 1)



LAUGH'S ON HER: The laugh appeared to be on Patricia Nixon Friday as she tried her hand at archery in a visit to North Dakota State University at Fargo. Mrs. Richard Nixon and Patricia visited a special summer school project for Indian children while President Nixon met with officials from North and South Dakota, Minnesota, Iowa and Nebraska. (AP Wirephoto)

Beatles Song Led Him To Murder, Says State

Bizarre Theory Explained

By LINDA DEUTSCH
Associated Press Writer

LOS ANGELES (AP) — With a Beatles song spinning in his mind, Charles M. Manson ordered the murders of actress Sharon Tate and six others in hopes of igniting a black-white war, the state says.

To Manson, "Helter Skelter," the title of one of the Beatles' songs, meant the black man rising up against the white establishment and murdering the entire white race." Deputy Dist. Atty. Vincent Bugliosi said in an opening statement Friday at the trial of the hippie-type "family" leader and three followers on charges of conspiracy to commit murder.

He said Manson believed the

race war would wipe out all whites except Manson and his clan who "intended to escape from Helter Skelter by going to the desert."

ACROSS OCEAN

Bugliosi described Manson as "an avid follower of the Beatles" and said the shaggy-haired ex-convict believed the British quartet was "speaking to him across the ocean."

Manson interpreted their songs as supporting his philosophies and has "a fanatical obsession with 'Helter Skelter,'" the prosecutor said. The lyrics of the song do not mention race war.

"Helter Skelter" was scrawled in blood on a wall at the home of two of the victims along with "Rise" and "Death to Pigs." The words "Pigs" was written in blood at the Tate home.

Bugliosi said the scrawlings and other evidence were aimed at "making it look like the black people had murdered the five Tate victims and Mr. and Mrs. (Leno) La Bianca, thereby causing the white community to turn against the black man and ultimately lead to a civil war... a war Manson foresaw the black man winning."

The prosecutor said Manson believed the black-white war would be started spontaneously by blacks but "got impatient" and told his clan: "I'm going to show blackie how to do it." Then, said Bugliosi, he ordered the murders.

Manson's vision of the war's outcome, said the prosecutor, was that blacks "would be unable to handle the reins of power because of inexperience and would have to turn over the reins to those white people who had escaped from Helter Skel-

ter, that is... Manson and his followers."

Miss Tate was slain at her home last Aug. 9 along with four visitors. The next night, 10 miles away, Mr. and Mrs. La Bianca, wealthy market owners, were stabbed to death.

X MARKS SPOT

Manson, 35, arrived at the trial Friday in jail denims, a cross slashed into his forehead. (See back page, sec. 1, col. 8)

Troopers Seeking Quarters

The Michigan State police are house hunting in north Berrien county.

A state police post has been authorized here, but the troopers need a base building before they can start patrolling new beats.

Lt. William Chandler, assistant commander, Fifth District, said the department wants to rent quarters with ample parking and easy access to I-94. A minimum of 1,500 square feet is required. The post is intended to serve the northern 10 townships in Berrien county and a Benton township location is preferred, Chandler said.

The department will occupy the building for a minimum of year with the possibility of several years or until the State Legislature appropriates money for a permanent post.

Anyone with such property to rent can contact Chandler or Capt. Robert Vesey, Department of State Police, Fifth District Headquarters, Paw Paw, or call 657-5551.

THIEVES HIT

Crime Fighter Loses Car, Jogging Suit

LANSING, Mich. (AP) — Someone has stolen the official state car of state Atty. Gen. Frank Kelley.

Gone, along with the car, are his top coat, his jogging shirt, shoes and shorts and the sign that says "Attorney General-Official Business."

Kelley reported the car was stolen sometime Friday morning while he was staying overnight at a motel in suburban Southfield, outside Detroit.

"I had it locked anyway," he said. "I still have the keys. But maybe they didn't get such a bargain. I put more than 71,000 miles on that car since it was issued to me in April of 1969."

Ray Norberg Combo at Tosi's Saturday. Adv.

Garage Sale 2103 Langley, St. Joe. Adv.

Promise Is Kept

Berrien Deputies Drive Far For Boy And Dog

By BRANDON BROWN
Staff Writer

The uniform may be blue and the badge silver, but the heart is pure gold.

Two off-duty Berrien county sheriff's deputies, with \$26 collected from fellow officers, drove 800 miles round-trip from the Twin Cities to Madisonville, Ky., to reunite a boy and his dog.

The tale of Good Samaritanism began last Sunday, when Deputy David Sweet encountered Tony Burden, 13, of Holland, and his black mongrel pup, "Penny," walking along I-94 south of St. Joseph.

The boy told officers he was on his way from Holland to Madisonville, Ky., to live with an uncle there. Deputy Henry Lingle took Tony to the Benton Harbor bus station where the boy bought with his own money

a \$15 ticket. To comply with bus company rules, Penny was placed in a box with a lid. She wouldn't stay in, so Lingle told Tony to proceed alone and that officers

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would see he and the dog were united in Kentucky.

Lingle passed the hat at the sheriff's office and turned \$26 over to Deputies Randy Arndt and Thomas Exum, who left Monday with Penny bound for Madisonville in Arndt's private car.

They delivered Penny to her new residence about midnight Monday, chatted with Tony's uncle about an hour, and slept in the car outside Evansville, Ind., because they couldn't find a motel.

They also spent \$8 each of their own money for gas and food.

Lake Temperature

The temperature of Lake Michigan at shoreline today is 69 degrees.

Police Seek Motive In Bomb Death Of Phone Executive

CLAYTON, Mo. (AP) — Police seek a motive in the slaying of Phillip J. Lucier, 49, president of Continental Telephone Co., the third largest independent telephone firm in the nation.

Lucier, father of 11, was killed Friday when a bomb placed under the driver's seat of his car exploded as he turned on the ignition.

James L. Robb and James V. Napier, vice presidents of the firm, were standing by the car waiting for Lucier to back out of a parking space after a luncheon appointment. Neither was hurt.

"It must be a crackpot," said Robb, in charge of operations for the company, adding that Lucier had "no personal enemies."

Lucier, who lived in St. Louis, began as president of the small firm based in the suburb of Clayton in 1961. Since then it has acquired more than 600 independent telephone companies

in the United States and several foreign countries, and its assets have grown from \$26 million to more than \$1 billion.

He was described by a business associate as a "fast and energetic man," who jetted to various facilities but was "never in town long enough to make any enemies."

Police Maj. Herbert Johnston said a parking attendant had been about 40 feet away from the car for the hour it was parked while the three had lunch. "It was a very professional job," Johnston said.

The explosion shredded the front seat of the car, blew a hole in the floor and Lucier must have died instantly, Robb said.

He said Continental had no labor problems and Lucier never mentioned any threats or fears. "The company has made a lot of people wealthy by buying them out," he said.

Lucier was said to have spent

much time with his family and was active on the boards of trustees of Fontbonne College and St. Louis University. Recently he became involved in a campaign to help rehabilitate a St. Louis neighborhood which is racially integrated.

Lucier was a native of Abilene, Kan., where his father was an executive for a telephone company which specialized in merging rural and town telephone systems.

An honor graduate at Notre Dame University and Navy veteran of World War II, Lucier started his career selling equipment for Stromberg-Carlson Corp. in 1945. He rose to assistant treasurer but left in 1961 to form Continental through the acquisition of a 2,000-telephone exchange in Millstadt, Ill.

The firm's acquisition program in recent years provided a system of nearly 1.6 million telephone in the United States, Canada, and the West Indies.



CHARLES M. MANSON



FATAL BLAST: A bomb explosion killed Phillip J. Lucier, 49, president of Continental Telephone Co., Friday afternoon as he turned on the ignition of his car in Clayton, Mo. Lucier's auto was nearly demolished in the blast. (AP Wirephoto)

THE HERALD-PRESS

Editorial Page

W. J. Banyon, Editor and Publisher

Bert Lindenfeld, Managing Editor

Hey, Whirlpool, How About A Yard Model?

Now is the time when the man of the house needs one of those new fangled Whirlpool "Trash Mashers."

If a householder has done his chores, this is the season when the old homestead shines.

Weeded and fed, caressed by summer sun and warm rain, the lawn and evergreens are at their glossiest best.

The front porch glistens under a coat of fresh paint.

It's enough to make a perspiring papa stretch the kinks out of his aching back, stand tall and survey everything in his domain with pride.

Everything, that is, except the trash.

How come the garage or the backyard always has four bushels of trash messin' up the place?

Well, one reason is that it has to stand for a week before the trash man cometh. And another is that the old boy's better half and kids never let him throw anything away — permanently.

His youngest offspring is 17 and rides a Honda. Yet sentimental Mama salvages the baby scales and tricycle every time her spouse throws 'em out. Each Spring, summ'ning courage above and beyond his usual weak-kneed stance, he puts 'em on the tree lawn. And comes home from the office at night to find 'em back in the garage again.

One man we know has been trying for 20 years to give away a hand-powered reel lawnmower. "Save it," is the distaff dictum. "If we have a war, there'll be a gasoline shortage."

Another frustrated friend is still mowing around a swing set 10 years after his only child got a PhD.

But the same guy has lost three sets of golf clubs because his wife is home and he isn't when the trash truck arrives.

Whirlpool, the Twin Cities big appliance manufacturer, brought out its Trash Masher only last year. It's proved popular as snowballs in you-know-where. It's a home appliance that fits under the kitchen counter and compacts a whole week's trash, four bushels, into one neat little package. Housewives love it.

But the man of the house needs it more. He ought to have a garage model where he can pop in those busted tennis rackets, rusty skates, worn-out boots, little league masks and battered toys. Then, just push the button. That wonderful masher puts an end forever to those sentimental return journeys.

And if a guy survived the vengeance of his spouse and siblings, he could, in truth, survey a neat domain and say: "Whirlpool, we love you."

Nation's Capital Gets New Anticrime Statute

The first of President Nixon's crime fighting proposals cleared Congress this week. But not without vigorous dissent and the virtual certainty that the new law's constitutionality will be quickly tested in the U.S. Supreme Court.

On Thursday, the Senate voted 54 to 33 for passage of the Administration's anticrime bill for the nation's capital, complete with controversial "no knock" and "pretrial detention." The vote climaxed a week of debate marked by charges that parts of the bill are repressive and violate constitutional rights.

Most of those against passage were liberals, but Sen. Sam J. Ervin, D-N.C., a strict constitutionalist, led the fight against the bill, passed by the House last week 332 to 64. Ervin called passage "a victory for repressive criminal procedures."

Chiefly in dispute were sections permitting pretrial detention of defendants judged likely to endanger community safety and authorizing police to enter homes without knocking while executing some search and arrest warrants.

Opponents also protested provisions for expanded police wiretapping under court orders, adult trials for juveniles charged with violent crimes such as murder and rape, and mandatory minimum sentences for second offenders convicted of crimes of violence while armed. Other parts of the bill providing for a reorganization of the local courts, more judges, and expanded bail agency, and a public defender system were not disputed.

The measure was in line with recommendations submitted last year by Nixon, who described Washington in his 1968 election campaign as "the crime capital of the world." Other administration crime-fighting proposals still before Congress include

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GLANCING BACKWARDS

AUCTION TOPS DAY
—1 Year Ago—
The highlight of the program at the Van Buren County Youth fair was the annual 4-H livestock auction, which earned county 4-H members a total of \$17,556.67.

Forty-five county 4-H members auctioned their beef, swine, and sheep this year and the prices paid per pound for the animals was up about six cents over last year's auction price.

ST. JOE VOTES
\$13,000
—10 Years Ago—
St. Joseph city commission

MAY FACE DRIVE AGAINST GOLD POLICIES
—30 Years Ago—
The United States, with a \$20,000,000,000 gold hoard

last night voted to pay nearly \$13,000 as its share of expanding Ross field.

A Berrien county circuit court jury gave the Twin Cities the right to condemn nine and a half acres east of the field last Friday. The cost of the property, owned by Mr. and Mrs. Reuben Washburn, was set at \$35,000 but the cost of the legal proceedings will push the cost still higher.

may be forced into the role of chief defender of the metal against a campaign by goldless nations to undermine its monetary prestige Wall Street banking sources said today.

Bankers who have followed closely a warning debate over the future of gold including arguments from Berlin the metal would lose its international exchange worth, said Nazi strategy appeared to be aimed at focusing attention on the United States' gold position in preparation for the post-war fight for trade.

DR. COLEMAN ..And Speaking Of Your Health

A small electronic machine has been widely used in Russia to induce sleep in people with marked insomnia. The device is powered with a battery that sends a slight current, painlessly and safely to the brain to help relaxation and sleep.

Dr. Milton Kline, head of the Research Division of the Morton Prince Center for Hypnotherapy in New York City has been using the Electrosonic instrument for electrosleep in some highly anxious patients. In carefully selected cases there seems to be distinct relaxation and even a general improvement in the emotional condition of people who have benefited by this induced sleep.

Electrosleep is being studied carefully all over the United States in order to insure the absolute safety of the instrument. The Food and Drug Administration adds to its overall protection of the American people with a critical eye on all new medical instruments. When they gave their final sanction, all experimental studies will have proved that the electrosleep machine accomplishes its purpose with no dangerous side effects.

In Russia there are more than 250 "Sleep Centers" which, for many years, have been using electrosleep for a large variety of conditions other than insomnia. Their published reports are calling forth great enthusiasm. When confirmed it may be the beginning of similar projects in the United States.

The Cleveland Clinic, one of the nation's great hospitals, is using the helicopter as a means of bringing emergency medical supplies, blood and serum and patients by landing them on the roof of the hospital. So successful has this been that other hospitals are following this method to bring emergency personnel quickly and directly to the hospital.

Critically ill patients are given the added advantage of emergency treatment and much valuable time has been saved by this novel use of modern technology.

A new and important test has recently been developed at the Washington University School of Medicine in St. Louis by Dr. Norma Alkjaersig and Dr. Anthony P. Fletcher which may further eradicate the danger of blood clots. This sensitive and reliable test has been tried to

EDITOR'S MAILBAG

Editor, The Herald-Press:

WANTS A CONSERVATION CANDIDATE

I would like to know the five candidates for state representative views on conservation, and if they are attuned to public opinion, particularly the student interest in ecology and environmental protection.

I sincerely believe it is a tragedy of the current scene that the protection of the environment must be made a political issue rather than thought of as a gift of God. Unfortunately the commercial and industrial interests have sometimes challenged the integrity of township officials and home owners alike in affected areas.

I am particularly referring to the confrontation between students and the general public in the Earth Day activities held at Northwestern University and the University of Michigan campuses. Never before has the general public been more aware of the decline of their environment, particularly the decline of natural scenery wonders.

President Nixon is the first president in this century to speak of the quality of the environment in the State of The Union address. If it is that important to the President, it only behooves the rest of us to think twice before we call our neighbors "selfish" for caring for their environment, and preserving the beautiful natural scenery unique to Michigan, particularly Southwestern Michigan and the Forty-third District.

President Kennedy said in his historic Inaugural Address, "Ask not what your country can do for you, ask only what you can do for your country." I sincerely believe that applies to

RELIGION TODAY

Presbyterians Eye Sin Sex And Responsibility

By LESTER KINSOLVING

A battle over sex has erupted within the General Assembly of the 3.1 million-member United Presbyterian Church.

Cause of the furor is a 38-page study of human sexuality, probably the most liberal and realistic ever issued by a major denomination.

The study is the result of three years work by a distinguished committee of theologians, pastors, physicians and sociologists, commissioned by the nation's sixth largest denomination.

Among other things the study:

- Favors sex education and contraceptive availability to the unmarried ("The present opposition to making available contraceptives to unmarried persons has no demonstrable deterrent effect on non-marital intercourse").
- Affirms that neither masturbation nor homosexuality is sinful per se ("... St. Paul's condemnations of homosexuality appear to suggest that he objected to the element of disregard for neighbor more than he did to acts in themselves. Thus prostitution does not call into question responsible heterosexuality.")
- Favors artificial insemination, contraception and sterilization — although cautioning respect for individual rights in cases of eugenic sterilization; and in the case of controlling the population explosion preferring "mass contraceptive techniques which are reversible and which regulate rather than destroy the power to reproduce").
- Favors "abortion taken out of the realm of law altogether and made a matter of careful ethical decision of a woman, her physician and her pastor, or other counselor.")

PROVOKES RAGE

What seems to have provoked conservative Presbyterian rage particularly, however, is the study's observations regarding pre-marital and extra-marital intercourse.

"Everything goes," shrilled the arch conservative Presbyterian Layman's Committee, "pure Playboy philosophy!" Christianity Today magazine warned of "committing spiritual suicide" while Parade magazine suggested "moral catastrophe."

"If Salome had put a copy of this study beside Herod's bed," cried Florida delegate Earl

Downey, "John The Baptist would never have lost his head!"

The study commission, headed by the Rev. J.C. Wynn of Rochester Center for Theological Studies, observed that in the light of the development of contraceptives: "virginity as the main protection against out-of-wedlock pregnancies is in decline."

"Fewer and fewer young people are willing to think of a non-virgin as a 'fallen person', or are 'simply maintaining the standards of technical virginity... there is little medical or psychological evidence that pre-marital coital experience between persons who subsequently marry is necessarily damaging."

EXCEPTION NOT RULE

Regarding extra-marital intercourse, the study observes: "We recognize that there may be exceptional circumstances (such as permanent physical or mental incapacity of one partner) where extra-marital sexual activity may not be contrary to the interests of a faithful concern for the well-being of the marriage partner."

But an exception is an exception and not a new rule.

Sexual fidelity is important because it both symbolizes and supports the total fidelity of the marriage relationship.

The study commission also noted: "We can find no systematic ethical guidance from a method of Biblical interpretation which relies solely on the laws and stories of the Bible. We would find it intolerable, for instance, to base our treatment of fornication on the death penalties imposed in Deuteronomy 22, or to exclude eunuchs and bastards from the assembly of the Lord, as prescribed in Deuteronomy 23."

After a torrid, two-hour debate, the Presbyterian General Assembly voted 485-288 to receive this study and to publish and distribute it to all of the denomination's local churches.

Immediately following the conclusion of this long debate, scores of delegates left the convention floor — and at this point Robert Close, M.D., of Yakima, Wash., introduced an amendment to the study affirming that:

"Adultery, prostitution, fornication and/or the practice of homosexuality is sin."

This amendment passed by only nine votes, with 347 delegates voting against it. But it did pass, and in doing so left the church in the peculiar position of distributing a tract that is soft on what, by its own definition, is "sin."

JAY BECKER

Contract Bridge

declarer's approach to the play.

As declarer you have the advantage of knowing exactly which high cards your side has and which high cards you are missing. You have a much firmer grip on which suits to exploit, which dangers to avoid, and how to capitalize on your values.

A defender can only feel his way, seeing just a portion of his side's resources and an portion of declarer's. He has the bidding to go by, the interpretation he can place upon plays already made and, last but not least, his own ingenuity.

Despite the inherent difficulties, a shrewd defender can generally give a good account of himself. It is by no means rare for him to play his cards, hand after hand, without letting any tricks escape at all.

All of which leads us to the problem faced by East after he won the club lead and had to decide what to play at trick two. He chose the queen of hearts admittedly an unusual play, but nonetheless the proper play.

If South covered with the king, East's A-10 would constitute a tenace over dummy's J-9 and bring about declarer's defeat whenever West gained the lead with a diamond and returned a heart. And if South ducked the queen, the same result could be obtained by East's continuing with a low heart.

How can East recognize the deadly effect of the queen of hearts play? The answer is that he cannot be certain of it, but he must make the play nevertheless.

Since his own hand and dummy's contain 20 points and declarer has 16 to 18, West must have 2 to 4 points. The contract is unbeatable unless West has an entry card, so East proceeds on the basis that West has 2.

A low heart play at trick two would not suffice. It must be specifically the queen.

BENNET CERF

Try And Stop Me

7-25

Meihorn's only chance to tie was for Cruikshank to take three puts on that last green.

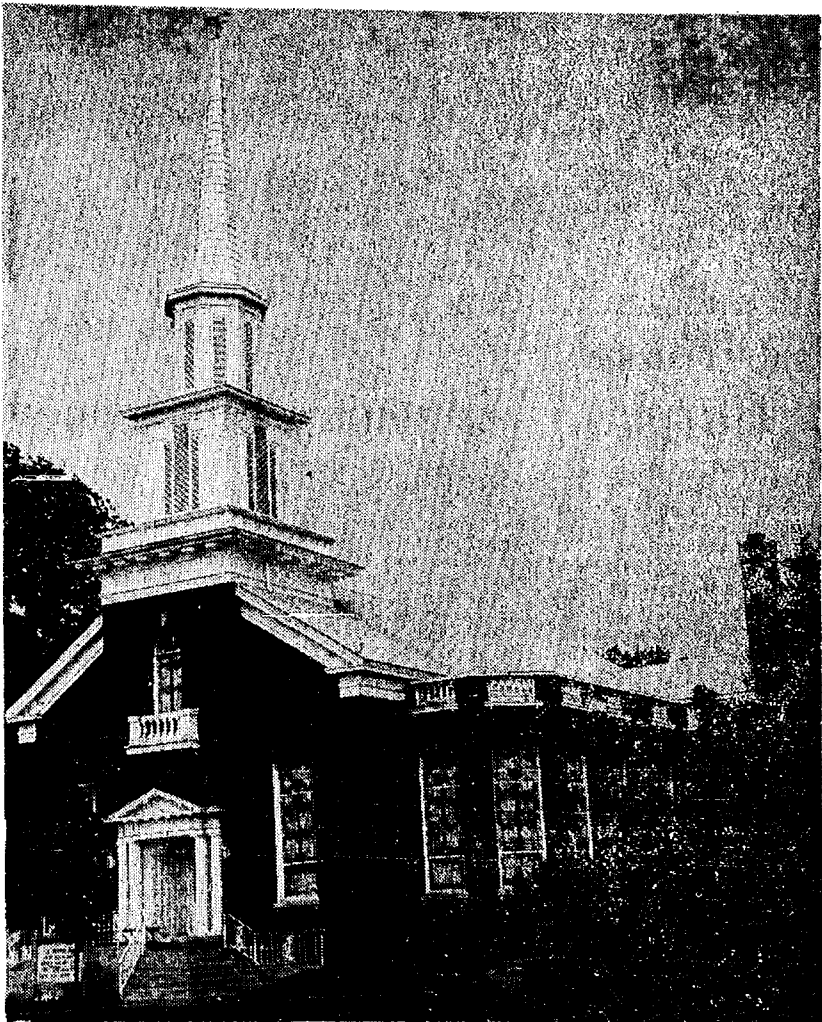
He accordingly climbed a live oak bordering the green in the hope of making enough noise to distract Cruikshank. Unfortunately for Meihorn, Cruikshank not only sank his long putt for a birdie, but Mr. Meihorn fell out of the tree, without a backspin, and landed on the straw-bonneted and outraged official scorer of the tournament.

Factographs

The first canal joining the Mediterranean with the Red Sea was dug nearly 4,000 years ago.

The greater part of Yellowstone National Park is in Wyoming.

DRUG ADDICT REHABILITATION CENTER EYED



CHURCH CLOSED, NO ADMITTANCE: The Unitarian church located on Main street at Elm street in St. Joseph, has been closed to the public due to a hazardous situation in the ceiling. The building is reported to be about 100 years old. (Staff photo)

St. Joe Serves Notice

Time Parts Wood Pegs, Church Ceiling Sags

Possibility of the ceiling in the Unitarian church falling down has prompted the City of St. Joseph to close the building this week.

Contractors are checking into the situation and expect to outline the repair project for church leaders shortly. The church is located on Main street at Elm street in St. Joseph. It is one of the city's oldest landmarks, believed built a century ago.

Marvin Fuller, president of the Unitarian congregation, said services have not been held during the summer. Some maintenance work has been scheduled for next month and it may be possible to complete repairs on joists holding up the ceiling in time for the resumption of services in the fall.

Tom Sparks, city building inspector, posted the notice closing the church following an inspection of the ceiling framework.

Sparks said a workman with a building maintenance firm noticed the ceiling had dipped in places. Investigation disclosed that wooden pins used in the century-old beams had parted and there is nothing holding up the cross beams which hold up the ceiling.

BASIC STRUCTURE OK

Sparks said there is nothing wrong with the overall structure of the church. The roof is held up by hand hewn, foot-square timbers. At the base of the roof trusses are the beams that hold up the ceiling. These beams are mortised into the roof supports with wooden pins. These wooden pins have parted and in time the weight of the plaster ceiling would cause it to fall, Sparks said.

Fuller said Dave Osmer, Grand Rapids contractor, who specializes in church steeple maintenance and repair, is checking to see how extensive

the damage is.

The Christian church is the organization to feel directly the order to close the church. That church had been using the Unitarian facilities until its new church on Niles avenue next to the Riverview park entrance is completed. The new church is expected to be ready in a couple of weeks.

Officials of the Christian church announced they had made arrangements to hold services Sunday at 8:30 a.m. at St. Mark's Lutheran church, Napier avenue and Union street in Fairplain. There will be no Sunday school, however.

The Unitarians purchased the church from the Evangelical United Brethren church two years ago when that group merged with the Methodist church. Before that the church was the home of the First Congregational church now housed in a new edifice on Niles avenue.

Twin Cities Group Plans First Steps

Chicago Gateway House Official Gives Pointers

By SANDRA ENGLE Staff Writer

Volunteers from several community social and educational agencies met yesterday to plan the first steps toward creating a rehabilitation center for drug users in the Twin Cities area.

Stephen Kraatz of Lake Michigan College community services, and Gene McFadden, assistant superintendent for community education of the Benton Harbor schools, have been co-chairmen of a volunteer drug clinic committee that has met during the past two months.

The men met yesterday with Carl Charnett, the director of dynamics of Gateway House in Chicago, a community rehabilitation home for drug users.

APPROACHED BY USERS

McFadden said he had visited the house after he and Guy Huddleston, coordinator from the local department of vocational rehabilitation, had both been approached by some 20 drug users locally who asked for help.

Charnett, an ex-addict, also spoke before some 150 agency representatives and local citizens in the morning at LMC's Britain avenue campus where he described the work of Gateway House, his own life as a former dope addict and the drug problem in general.

Here as a consultant, Charnett told the drug committee its best probable approach to the problem would be to establish a residential type house, where some 50 addicts could live and work towards rehabilitation.

He estimated the cost, excluding facilities at \$125,000 a year for the care of the 50 addicts, staff personnel and operations.

FUNDS AVAILABLE

Advocating an ex-addict who had been "clean" (a non-user) for about four years, as the director, Charnett said funds were readily available for such a program from the federal bill to fight crime in the streets, state law enforcement agencies and state mental health departments.

He warned, however, not to expect 100 per cent results. "If you can get 30 to 40 per cent of the users to stay in the home, face the hard work and learn responsibility, you can feel successful."

"The more difficult demands you put on an addict the more you get him used to facing the hard life of reality. Make 'em kick it like they shot it," he told the committee members in an afternoon session.

McFadden said nothing definite had been decided for the area but he hoped work for the center could be off the ground before he leaves the school district next month.

Other members on the committee are: Selma Perkins, of LMC secretary; Guy Huddleston; William Murray and Kay Masini, both from Benton Harbor's Community Education; Rance Deckard, Benton Harbor schools; Rev. Gary Gamble, St. Joseph United Methodist church; Ben Davis, Model Cities; Dr. Robert Loecey and Dennis Seeley, Berrien county health department; Dr. Girard Rooks, mental health department; and Nancy Lawrence, David Smith and Richard Bern-



SOUNDS OF MUSIC: The Benton Harbor high school alumni banquet Aug. 8 will be full of musical nostalgia with the theme "Music of the Decades." Some of the sounds will be provided by (left to right) Robert Sill, Will Harmon, Mrs. Betty Hunt, Mrs. Marion Forbes and Thomas Millar. Reservations should be made by Aug. 5 with Mrs. Robert

Garey, Tanglewood trail, St. Joseph. Paul Florin is chairman of the banquet which will salute the 50 year class of 1920 and welcome the class of 1945 to the ranks of "old timers." The banquet will be at 6:30 p.m. at Hilton Inn. (Staff photo)

BH Kids To Tour Cook Plant

Trips Sponsored By Tri-CAP

A trip to the Donald C. Cook nuclear power plant at Bridgman will highlight next week's activities for youngsters in the summer recreation program in Benton Harbor and Benton township.

Wallace L. Dunn, Jr., recreation coordinator for the Tri-County Community Action Program, said the trip to the power plant will be on Friday, July 31. Last Wednesday, 137 youngsters toured the Kellogg plant at Battle Creek. On Wednesday, 383 attended a free movie at the State theater.

Another movie will be shown Aug. 13 and field trips will be held weekly for the balance of the program ending Aug. 28.

Next week's schedule:

Monday — Intercity park volleyball competition.

Tuesday — Intercity park basketball.

Wednesday — Cookout; archery and air rifle instruction by Ron Inman and Ken Funnell of YMCA, 11 a.m. Union park, 3 p.m. Hall park.

Thursday — Intercity park softball.

Friday — Swimming and field trip to nuclear power plant.

Arrangements for field trips should be made through park supervisors — Mrs. Lovie Satterfield, Fair and Highland; Harold Wheeler, Union; Miss Patricia Robinson, Hall; Miss Laurena Agas, Broadway; Eric Jones, Edwards, and the staff at Blossom Acres community center.



CARLTON B. ROELS

Ex-Harbor Grid Coach Roels Dead

Led Tigers To State Crowns

Friends here have just learned of the death July 4 of Carlton B. Roels, one of the most successful coaches of all time in midwestern high school football.

Mr. Roels, who coached Benton Harbor high school 1938-43, died in a Wisconsin Rapids hospital after having been seriously ill for seven weeks. He was 72 years old.

He and his wife, Edna, lived at Neillsville, Wis., and were about to go to their cottage at Cross Lake, Minn., when he was stricken. Burial was in Acacia cemetery, St. Paul, Minn.

Mr. Roels had retired after a 41-year coaching career in five states. His six season record in Benton Harbor was 40 victories, 5 defeats and 6 ties. His 1940 and 43 teams were undefeated and acclaimed as state champions. The '40 team produced Benton Harbor's first victory over Muskegon in 32 years.

He had 14 undefeated football teams overall in his career and coached 17 teams that won basketball championships.

Mr. Roels last visit to Benton Harbor was a year ago for the BHHS alumni banquet.

Other survivors are three daughters, Mrs. Virginia Hoppe, Dearwood, Minn.; Mrs. Carol Porter, Laurel, Md., and Mrs. Myrabelle Stanley, St. Louis, Mo., and eight grandchildren. His first wife, Marion, died eight years ago.

Protests Turn Ban Berrien County To Share Signal Cost

The Berrien County Road commission agreed Friday to stand half the cost of a traffic signal light at M-139 and Empire avenue in Benton township, but at the same time protested plans to prohibit left turns off M-139 there.

The commission agreed to pay \$1,837, half of the estimated cost of \$3,674. The state is to foot the other half and will handle the installation.

Road Commission Engineer Manager Heath Calvin said the commissioners joined the Benton township board in protesting the left turn ban off M-139. A letter to that effect will be sent to the state highway department along with the agreement to participate in the cost.

Not allowing southbound traffic particularly, to turn off M-

139 on Empire will greatly inconvenience many motorists traveling to a number of industries located on Empire west of the intersection and to the Lake Michigan college campus, Calvin said.

The state highway department holds it is dangerous to make left turns off a four-lane road, Calvin noted.

Left turns will also be prohibited from Empire onto M-139 when the signal is installed. But that will be temporary. As soon as Empire approaches to M-139 are widened to three lane pavement, Calvin reported, left turns then will be permitted onto the state trunkline from Empire. The county and township will take action to widen the Empire approaches at an undetermined time, according to Calvin.

RAY LINCOLNHOL

Former St. John's Famed Coach Dies

Ray Lincolnhol, who coached Benton Harbor St. John's to its only state basketball championship, died Friday in a Lansing hospital after a short illness. He was 62 years old.

Mr. Lincolnhol coached three sports at the Benton Harbor parochial school for 16 years before going to Lansing Resurrection in 1946. He also was at Gabriels high school in Lansing and most recently was a teacher and counselor at Pat-tengill junior high, Lansing.

In 1944, his St. John's team won the state Class D championship. He coached the Irish to five regional track titles and consistently winning football seasons. Mr. Lincolnhol also managed the Benton Harbor bus terminal.

He was a member of the Michigan High School Coaches Association Hall of Fame.

Survivors include his widow,

Viola; three sons, Ray, Jr., John and Paul; two daughters, Mrs. Bonnie Hayhoe and Mrs. Joanne McNeil; and 12 grandchildren, all of Lansing; and a brother Edmund of Stevensville.

The Rosary will be recited Sunday at 7 p.m. in the Palmer-Bush funeral home, Lansing. Requiem mass will be at 10 a.m. Monday in the Church of the Resurrection. Burial will be in St. Joseph's cemetery, Lansing.



Junior Band Corps Will Be On TV

The fife and drum section of the Twin City Junior Drum and Bugle Corps will appear on WKZO-TV, channel 3, Kalamazoo, Tuesday at 9 a.m. The corps will perform on the Clubhouse show. The corps' drill put on an exhibition yesterday over channel 3 on the "Accent" show.

BH Police On Lookout For A Woman Officer

The Benton Harbor police department is seeking its first policewoman.

Chief William McClaran said women can apply starting Monday for the new position. The recruit will be a sworn officer with authority to make investigations and arrests. She will be armed.

"We recognize a definite need for more in-depth work on delinquency problems involving females," said McClaran. The assignment will be principally in prevention and control of crimes involving females.

The policewoman will be assigned to the youth bureau currently staffed by three detectives.

Candidates must be between 21 and 31, at least 5 feet 4 inches tall with weight in proportion to height, have sound health, good character, no arrest record, good driving record

and good credit rating.

Minimum education is a high school diploma or GED equivalent, preferably with at least two years of college with courses in social sciences. Experience in investigative or social work is desired.

Starting pay is \$252 bi-weekly for 40-hour week with time and a half for overtime when necessary. Salary rises to \$306 bi-weekly at three and a half years. The pay and other benefits are the same as for patrolmen. Applications can be made at the personnel office, room 204 city hall.

The department now has women employees in clerical, secretarial and parking control jobs. The new classification of policewoman was established after consultation with departments at Grand Rapids, Jackson and in California which employ policewomen.

McClaran said the police-

woman will be required to attend a basic four-week training school for area officers in the fall.

Some examples of a policewoman's work, according to the job description, are:

Investigate cases of child neglect; work with children and parents on delinquency and its prevention; place juveniles in care of welfare authorities when home conditions are unsatisfactory; investigate neighborhood disputes and larcenies; pick up women and juveniles accused of committing crimes and question suspects.

Prepare cases for presentation in court; assist vice squad in investigating prostitution and other vices involving females; guard, search and transport female prisoners; serve subpoenas and warrants; work with civic groups and social agencies on crime prevention.

YOUTH JAILED

Chase Around Service Station Ends In Arrest

Two Berrien county sheriff's detectives ended a game of ring-around-the-service station last night with the arrest of a Bridgman motorist on a charge of reckless driving.

Lodged in the jail after the arrest was Joseph Tommy Burks, 20, of 342 North Church street, Bridgman.

The chase was around a service station on M-139 near Napier bordering the parking lot of the Fairplain plaza.

Dets. Fred Reeves and Gary Melthing said a car operated by Burks was driven around the station four or five times while

they pursued it in an unmarked car. Three pedestrians walking near the station, they said, were almost hit by the car under pursuit.

The officers said the case began when an obscenity was shouted at them as they drove into the parking area. They said they pulled alongside the car and identified themselves as police officers.

The car was driven away and began circling the service station with the police car in pursuit. The officers said the siren was used in an attempt to stop the driver.

Manpower Unit Will Foot Bill

Money's Use Has Led To Hassle

Tri-CAP Wants
\$17,000 It Says
Still Owing

The Manpower Advisory council has agreed to see that the Tri-County Community Action Program (Tri-CAP) is repaid the \$17,000, which the new Tri-CAP director claims was misappropriated to the Manpower Center in the Twin Cities.

Stanley Rogers, chairman of the council and manpower department manager of the Michigan Employment Security commission office in St. Joseph, said the agreement was reached at a meeting Thursday. Working out details of obtaining the repayment money remains to be completed.

The manpower training center, which has the eye-popping official name of Comprehensive Multi-Educational Development System serves as a training agency for people sent to it by six different state, federal and local agencies here. Its purpose, essentially is to provide attitudinal training, or employment orientation, for unemployed whose work records or attitudes make them difficult to place in jobs. It does not offer occupational skill training.

Rogers said money to repay Tri-CAP likely can come from monthly surpluses in operating revenue the center gets from the six sponsoring agencies. The surplus is resulting, he explained, from the fact the state agencies pay for their trainees on completion of the courses rather than at the beginning. Rogers characterized the \$17,000 figure due back to Tri-CAP as a "loan" to get the center's program started originally.

Rogers said the Tri-CAP audit that showed the \$17,000 figure will be used to help determine the amount to be repaid.

But audits are also planned by WIN (Work Incentive program) and the MESC part of the manpower center program, and possibly other sponsoring agencies.

Rogers said he assumes these audits will agree with the Tri-CAP audit on the \$17,000 figure. If not, he stated, the auditors probably will be instructed to negotiate a repayment amount.

The sponsoring agencies of the center, in addition to Tri-CAP, MESC and WIN, are State Department of Vocational Rehabilitation, Concerted Services Unit of the Berrien County Department of Social Services, and the Benton Harbor Schools Community Education program.

SCLC Tells Change In Rally Site

DOWAGIAC—The location of today's Southern Christian Leadership Conference rally has been changed from Lions park to 405 Thickston street, grounds of the Friendship Baptist church, according to Mrs. E. E. Harden, wife of the president of the newly organized SCLC unit in Cass county.

The change in location was made after Police Chief George Grady declined to issue a permit for use of a public park because of fears of "possible violence." Grady cited assaults on Tri-County Community Action Program officials Wednesday in Benton Harbor.

Mrs. Helen Ford, Tri-CAP director, is scheduled to be among the speakers at the rally. The Rev. Harden is Tri-CAP youth economic development director.

Two Named To Elevator Board

LANSING (AP) — Gov. William Milliken has reappointed two members of the State Elevator Safety Board for terms expiring July 22, 1974. Renamed were Michael Mullett Jr. of Detroit and Charles Perrellt of Marshall.

Michigan Tech Honors Four From Area

Four Michigan Tech university students from southwestern Michigan won a place on the dean's list for academic achievement in the spring semester.

Bryan L. Newville of Benton Harbor achieved a 4.0 or straight A grade average. Also on the list are James M. Homminger and Theodore K. Houghtaling, both of Buchanan, and James T. Tulk of Allegan.



BUSY QUEEN: Miss Cathy Boyce, 19, will reign over the Saugatuck Venetian Day festivities today, officiate at Douglas centennial observance next month, and will compete for the title Miss Harvest Queen at the Allegan County fair in September. A daughter of Mr. and Mrs. James Boyce of Saugatuck, she will be a junior at Grand Valley state college this fall. (Prosch-Jensen photo)

Miss Saugatuck - Douglas Cathy Boyce Rules Over Venetian Day

SAUGATUCK — Miss Cathy Boyce, 19, daughter of Mr. and Mrs. James Boyce of Saugatuck, was chosen Miss Saugatuck-Douglas last night at festivities around the Butler hotel pool.

Hoosier's Expedition Expensive

LANSING (AP) — Duncan of Elkhart, Ind., isn't likely to venture into Michigan on another bass fishing expedition.

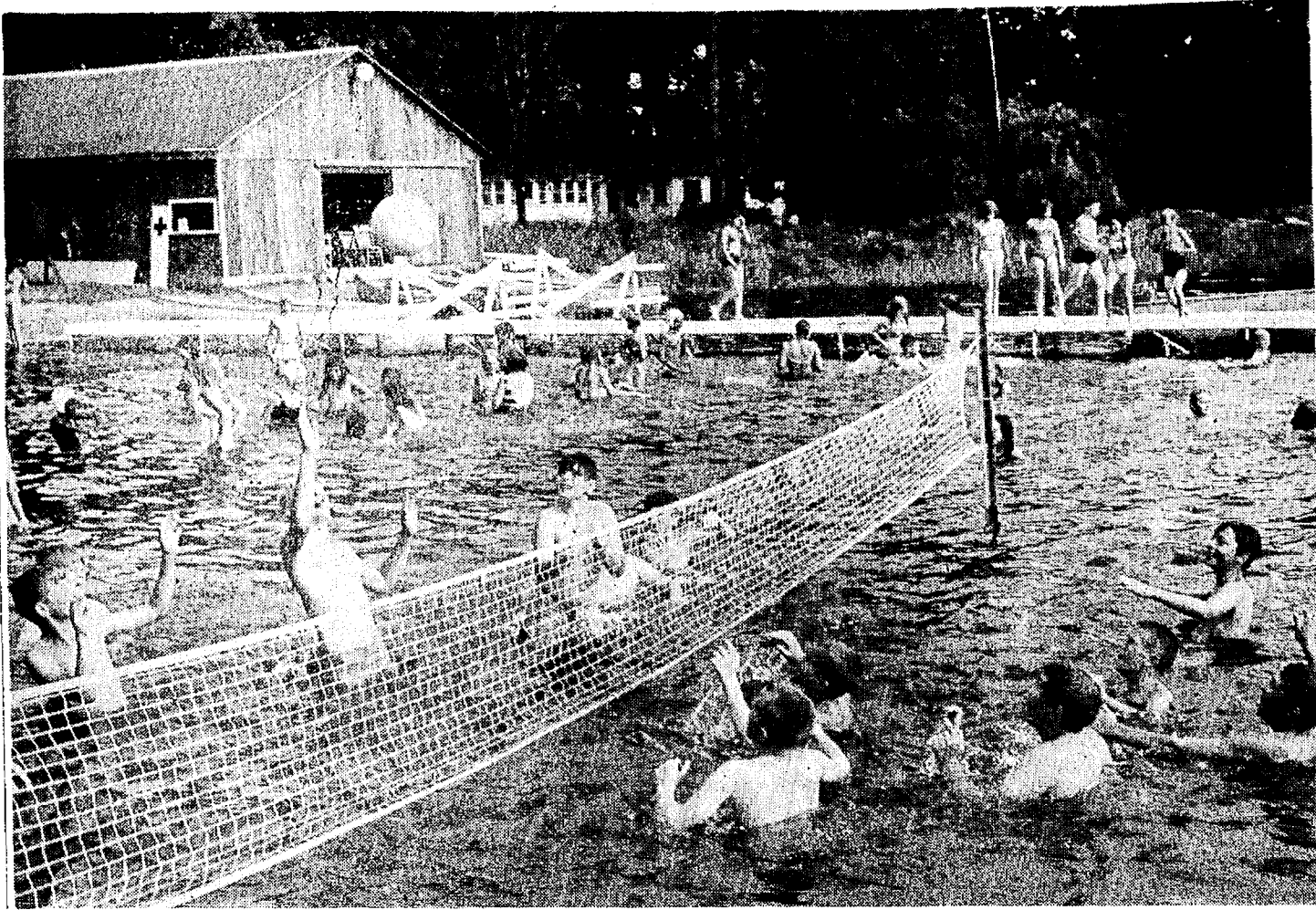
One of the saddest fishing tales you ever heard was detailed in the agenda for the State Administrative Board meeting this week.

Duncan was arrested for catching bass out of season, it was explained. Unable to raise bond money, he was taken to the Cass County Jail until his wife came from Indiana to supply the bond.

Meanwhile, a conservation officer and a helper went to put Duncan's boat and gear in storage. An oar fell out of an anchor-lock, snapping Duncan's rod in half at the handle.

Duncan paid his fine and costs plus restitution for the illegal bass taken. The State Department of Natural Resources reported Duncan "was quite disturbed" age. An oar fell out of an anchor-lock, snapping Duncan's rod in half at the handle.

As a final blow, the Administrative Board Finance Committee rejected the payment suggestion.



AT 4-H CAMP: Part of the group of approximately 130 4-H'ers from Berrien county are seen enjoying a game of water volleyball at Great Bear lake near Bloomingdale. The youngsters will

return home Sunday from their week of fun-filled activities at the camp. (Photo by Bonnie Both)

SOUTH HAVEN Blueberry Is Honored



KIDDIES DAY: An estimated 1,300 South Haven area youngsters participated in the National Blueberry Festival Kiddies parade Friday. The month-long festival ends this weekend. Highlighting today's activities are a baking contest, pie eating competition and an adult dance tonight featuring Tex Beneke and his Orchestra. A sports car rally is scheduled tomorrow.



LOOK ALIKES: Four-year-old Julius Franklin of South Haven won a prize for dressing the most like Bozo the Clown, who visited the National Blueberry festival kiddies parade Friday. An estimated 1,300 South Haven area youngsters participated in the parade. (Tom Renner photos)

Palisades Hearing Is Recessed

Nuclear Plant License At Issue

By TOM RENNER
South Haven Correspondent
KALAMAZOO — An Atomic Energy Commission licensing board hearing, which is considering whether to issue an operating permit to Consumer's Power company for its Palisades nuclear plant, has been recessed until next Wednesday.

The recess was ordered after the board, instructed the AEC staff to produce on-site inspection reports to conservation groups which are protesting the issuance of the license for the \$125 million facility.

The three-member board ordered preparation of the reports despite objections from counsel for both Consumer's and the AEC regulatory staff.

"The AEC staff objected to the request because of its 'untimeliness,'" the AEC staff had estimated it would take 30 days to reproduce the numerous inspection reports, but said it would quicken the process in time for the Wednesday hearing.

Attorneys for Consumer's and the intervening conservationists were instructed to hold "informal sessions" before Wednesday's resumption in order to reach points of procedural agreement.

Most of the time in the seven-day hearing has been spent in arguing procedural points, and very little evidence as to the pros and cons of issuing a license has been entered.

The licensing board said it would meet through next Friday and that if all evidence is not received by then it would recess indefinitely.

Consumer's officials have been hoping for the license decision by Aug. 21 so that the plant can be in operation in time for a predicted record winter peak.

"Things look pretty gray at this point," admitted Consumer's public relations director Jack Dyer. "The informal sessions between lawyers should tell if the hearing will have an orderly conclusion," he said.

Knifing Near Berrien Springs Is Investigated

Mrs. Vibia Escobar, 29, of the Leonard Frank farm, Deans Hill road, Berrien Springs, was reported recovering today in Berrien General hospital, Berrien Center, from a knife wound of the abdomen. Berrien county sheriff's deputies said Mrs. Escobar reported being involved in an argument Friday with a man inside her living quarters at the farm. No arrest was made.

43rd DISTRICT Candidates Will Meet The Voters

Voters in the 43rd Representative District will have an opportunity to meet the Republican and Democratic candidates, 8 p.m. Tuesday in the Lakeshore High School Gymnasium, Stevensville.

Republican candidates Harry Gast, Larry L. Grosser, Ray Leatz and John Weakley, and Democratic candidate James Booth will be on hand to speak and answer questions.

Sponsored by the Lakeshore Education Association, the focus will be on educational issues, but other topics of interest will be open for discussion.

Suit Seeks To Block Building

Protest Project In New Buffalo

Four persons living within a half-block of a proposed \$6 million condominium project in New Buffalo filed legal action in Berrien county circuit court Friday to block the development.

The four contend, through their Atty. Charles LaSala, Niles, that the project violates the city's basic plan and will create a nuisance. They claim, if carried out, they will suffer losses totalling \$500,000.

The four seek a restraining order to stop the developer from starting work and to stop the city's building inspector for issuing a permit to proceed. They ask the court to overturn a city council decision which cleared the way for the project.

The decision rezoned the 28-acre site bordering Lake Michigan at the Water street-Shore drive intersection from residential to multi-family use. EFFECTIVE AUG. 11.

Under the council action, Gerald M. Pals and Associates, South Holland, Ill., could begin work on the five-story 350-unit development when the zoning change takes effect Aug. 11.

Filing the suit were Raymond Jess Huett, 1420 Water street, Mrs. Arlene F. Funk, 1420 Water street, Mrs. Eleanor M. Ohms, 1425 Shore drive and Mrs. Linda Clemens, 1409 Water court, all New Buffalo.

Named as defendants were the city of New Buffalo, the city building inspector Bert Shedd, Pals, and Peter M. and Bertha Kerhulas, St. Joseph, owners of the land.

Huett said the legal action came in the wake of no favorable action by the city on petitions opposing the project. He said the petitions bore some 530 signatures and were filed with city officials during public hearings on the proposal.

LEGAL NOTICES

RETIREMENT ORDINANCE
AN ORDINANCE TO
AMEND THE CITY OF
ST. JOSEPH EMPLOYEES'
RETIREMENT SYSTEM
ORDINANCE

THE CITY OF ST. JOSEPH
ORDAINS:
RETIREMENT SYSTEM
CONTINUED; EFFECTIVE
DATE:

Section 1. The City of St. Joseph Employees' Retirement System, established by ordinance adopted June 14, 1948, and amended February 6, 1956, August 15, 1960, and December 10, 1962, is hereby further amended to amend Sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41; to repeal Sections 5, 17, 44, 45 and 46; and to add new Sections 20, 39(a), 44, and 45, as herein set forth. The effective date of the retirement system remains July 1, 1948.

DEFINITIONS:

Section 2. The following words and phrases as used in this ordinance, unless a different meaning is clearly indicated by the context, shall have the following meanings:

(1) "City" means the City of St. Joseph.

(2) "Commission" means the Commission of the City of St. Joseph.

(3) "Retirement system" or "system" means the City of St. Joseph Employees Retirement System.

(4) "Board" means the board of trustees provided in this ordinance.

(5) "Member" means any person who is included in the membership of the retirement system.

(6) "Retiree" means any member who retires with a pension payable by the retirement system.

(7) "Beneficiary" means any person, except a retiree, who is in receipt of, or who is designated to receive, a pension or other benefit payable by the retirement system.

(8) "Employee" for the purpose of the retirement system, means any person in the employ of the city whose services are compensated by the city. The term "employee" shall include officers of the city.

(9) "Service" means personal service rendered to the city by an employee of the city.

(10) "Credited service" means the service credited to a member as provided in this ordinance.

(11) "Regular interest" means such rate or rates of interest per annum compounded annually, the board shall from time to time adopt.

(12) "Accumulated contributions" means the sum of all amounts deducted from the compensations of a member and credited to his individual account in the members savings fund, together with regular interest thereon.

(13) "Compensation" means a member's salary or wages paid by the city for personal services rendered by him to the city. In case a member's compensation is not all paid in money the city manager shall fix the value of the portion of his compensation which is not paid in money.

(14) "Final average compensation" means the average of the highest annual compensations received by a member during a period of 5 consecutive years of his credited service contained within his 10 years of credited service immediately preceding the date his last terminates. If he has less than 5 years of credited service his final average compensation shall be the average of his annual compensations for his total period of service.

(15) "Final compensation" means a member's annual rate of compensation at the time his city employment last terminates.

(16) "Pension" means an annual amount payable, in equal monthly installments by the retirement system, throughout the future life of a person, or for a temporary period, as provided in this ordinance.

(17) "Pension reserve" means the present value of all future payments to be made on account of any pension. A pension reserve shall be computed upon the basis of such mortality and other tables of experience, and regular interest, as the board shall from time to time adopt.

(18) "Police officer or fireman" means any employee in the police department of the city who holds the rank of patrolman, including a probationary patrolman, or higher rank; and any employee in the fire department of the city who holds the rank of fireman, including probationary fireman, or higher rank. The terms "police officer or fireman" shall not include (1) any person who is privately employed as a policeman or fireman, nor (2) any person who is temporarily employed as a policeman or fireman, nor (3) any civilian employee in the police or fire department.

(19) "General member" means any member except a policeman or fireman member.

(20) "Covered member" means any member who is covered by the federal social security old-age, survivors, and disability insurance program on account of his city employment.

(21) "Non-covered member" means any member who is not covered by the federal social security old-age, survivors, and disability insurance program on account of his city employment.

(22) "Retirement" means a member's withdrawal from city employment with a pension payable by the retirement system.

tem.

(23) "Workmen's compensation period" means the period a member, retiree or beneficiary, is in receipt of weekly workmen's compensation on account of a member's disability or death arising out of and in the course of his city employment. If he is paid a single sum in lieu of his future workmen's compensation his "workmen's compensation period" shall be the sum of the period, if any, he was in receipt of weekly workmen's compensation plus the period arrived at by dividing the said single sum by his weekly workmen's compensation award. In the absence of a weekly workmen's compensation award the award, for the purpose of this definition, shall be considered to be 1/2 of 1 per cent of the member's final average compensation.

(24) "Voluntary retirement age" shall be age 60 years for a general member and age 55 years for a policeman or fireman member.

(25) The masculine gender shall include the feminine gender, and words of the singular number with respect to persons shall include the plural number, and vice versa.

MANAGEMENT OF RETIREMENT SYSTEM:

Section 3. The general administration, management and responsibility for the proper operation of the retirement system and for constraining and making effective the provisions of this ordinance are vested in a board of trustees.

BOARD MEMBERSHIP:

Section 4. (a) The board of trustees shall consist of 5 trustees, as follows:

(1) A city commissioner to be selected by the commission, to serve at the pleasure of the commission.

(2) The city manager, to serve by virtue of his position.

(3) A citizen, who is not a member, retiree or beneficiary of the retirement system, to be appointed by the Commission.

(4) A policeman or fireman member to be elected by the policeman and fireman members.

(5) A general member to be elected by the general members.

(b) The policeman or fireman member trustee and the general member trustee shall be elected under such rules and regulations as the board shall from time to time adopt.

TRUSTEES' TERM OF OFFICE: CO-MPENSATION: OATH OF OFFICE:

Section 6. (a) The term of office of the citizen trustee, policeman or fireman member trustee, and general member trustee, shall be 3 years, one such term to expire September 30 of each year.

(b) The trustees shall serve without additional compensation for their services as trustees.

(c) Before assuming the duties of trustee each trustee shall qualify by taking an oath of office to be administered by the City Clerk.

VACANCY ON BOARD:

Section 7. In the event any trustee, except the appointed citizen trustee, ceases to be employed by the city, or should any trustee, except the city manager, fail to attend scheduled meetings of the board for 5 consecutive meetings, unless in each case excused for cause by the remaining trustees attending such meetings, he shall be considered to have resigned from the board and the board shall by resolution declare his office of trustee vacated as of the date of adoption of such resolution.

FILLING VACANCY ON BOARD:

Section 8. Any vacancy occurring in the office of trustee shall be filled, within 90 days from and after the date the vacancy occurred, for the unexpired portion of the term in the same manner as the office was previously filled.

BOARD MEETINGS; QUORUM; TRUSTEES' VOTE:

Section 9. (a) The board shall hold meetings regularly, at least once in each 3 months, and shall designate the time and place thereof. The board shall adopt its own rules of procedure and shall keep a record of its proceedings. All meetings of the board shall be public.

(b) Three attending trustees shall constitute a quorum at any meeting of the board. Each trustee shall be entitled to one vote on each question before the board and at least 3 concurring votes shall be necessary for a decision by the trustees at any meeting of the board.

OFFICERS OF RETIREMENT SYSTEM; EMPLOYMENT OF SERVICES:

Section 10. (a) The board shall elect from its own members a chairman and a chairman pro-tem.

(b) The officers of the retirement system shall be the following:

(1) The director of finance shall be secretary to the board and shall be the administrative officer of the retirement system.

(2) The director of finance shall be treasurer of the retirement system and he shall be the custodian of its assets.

(3) The city attorney shall be the legal advisor to the board.

(4) The board shall appoint an actuary, who is a member of the American Academy of Actuaries, to be the technical advisor to the board on matters regarding the operation of the retirement system. He shall perform such other duties as are required of him under this ordinance.

(5) The board shall appoint a medical director a physician

who is not eligible to participate in the retirement system as a member, retiree or beneficiary. He shall be responsible to and shall hold office at the pleasure of the board. He shall arrange for and pass upon all medical examinations required under this ordinance; he shall investigate all essential statements and certificates of a medical nature submitted in connection with a claim for a disability or duty death pension and he shall report in writing to the board his conclusions on medical matters referred to him by the board.

(c) The board may employ investment counseling services and other services as it shall determine to be necessary in the proper operation of the retirement system. The compensation for such services shall be subject to the approval of the city manager and the commission.

RECORDS; ANNUAL REPORT:

Section 11. The secretary shall keep, or cause to be kept, such data as shall be necessary for an actuarial valuation of the assets and liabilities of the retirement system. The board shall annually render a report to the commission showing the fiscal transactions of the system for the year ended the preceding June 30, and a balance sheet showing the financial condition of the system by means of an actuarial valuation of its assets and liabilities.

ADOPTION OF EXPERIENCE TABLES; AND REGULAR INTEREST:

Section 12. The board shall from time to time adopt such mortality and other tables of experience, and a rate or rates of regular interest, as are necessary in the proper operation of the retirement system.

MEMBERSHIP:

Section 13. (a) All persons who are employees of the city, and all persons who become employees of the city, shall be included in the membership of the retirement system, except as provided in subsection (b) of this section.

(b) The membership of the retirement system shall not include (1) any person whose service to the city is compensated on a fee basis; nor (2) any independent contractor; nor (3) any person who is employed by the city in a position normally requiring less than 900 hours of work per annum; provided, that such exclusion shall not remove from membership any employee who is a member June 30, 1970; nor (4) the medical director or the actuary.

(c) In any case of doubt as to the status of any employee with respect to membership in the retirement system the board shall decide the question.

TERMINATION OF MEMBERSHIP:

Section 14. Except as is otherwise specifically provided in this ordinance, should any member no longer be employed by the city, for any reason except his retirement or death, he shall thereupon cease to be a member and his credited service at that time shall be forfeited by him. In the event he is reemployed by the city he shall again become a member. If his reemployment occurs within a period of 5 years from and after the date he last separated from city employment his credited service last forfeited by him shall be restored to his credit; provided he returns to the members savings fund the amount he might have withdrawn therefrom, together with his regular interest from the date of repayment. Upon his retirement or death he shall thereupon cease to be a member.

CREDITED SERVICE:

Section 15. The service rendered by a member shall be credited him by the board in accordance with such rules and regulations, consistent with the provisions of this ordinance, as the board shall from time to time adopt. In no case shall less than 10 days of service rendered by a member in any calendar month be credited as a month of service; nor shall less than 10 months of service rendered by him in any calendar year be credited as a year of service; nor shall more than one year of service be credited any member for all service rendered by him in any calendar year.

MILITARY SERVICE CREDIT:

Section 16. Any member who, while employed by the city, entered or enters any armed service of the United States, and has been or shall be on active duty in such armed service during time of war or period of compulsory military service, shall have such armed service actually required of him credited him as city service in the same manner as if he had served the city. If he returns to city employment within one year from and after the date of termination of such armed service actually required of him, (2) he returns to the members savings fund the amount, if any, he might have withdrawn therefrom at the time he entered or while in such armed service, together with regular interest from the date of withdrawal to the date of repayment, and (3) in no case shall more than 6 years of city service be credited any member for all such armed service rendered by him. In any case of doubt as to the period to be so credited any member, the board shall have final power to determine such period. During the period of such armed service and until his return to city employment his contributions to the retirement system

shall be suspended and any balance standing to his credit in the members savings fund shall be accumulated at regular interest. The provisions of this section, as amended, shall not reduce the amount of military service standing to a member's credit as of June 30, 1970.

VOLUNTARY RETIREMENT:

Section 18. Any member who either (1) has attained or attains his voluntary retirement age and has 10 or more years of credited service, or (2) acquires 30 or more years of credited service prior to his voluntary retirement age, may retire upon his written application filed with the board setting forth at what time not less than 30 days before he desires to be retired. Upon his retirement a covered member shall receive a pension provided in section 20, and a non-covered member shall receive a pension provided in section 20.1.

COMPULSORY SEPARATION FROM CITY EMPLOYMENT:

Section 19. (a) A member, except an elected officer of the city, shall be separated from the city employment the first day of the calendar month next following the month in which he attains age 60 years, if he is a policeman or fireman member, of age 65 years if he is a general member, subject to subsection (b) of this section.

(b) A member who is subject to separation from city employment as provided in subsection (a) of this section may be continued in city employment for periods not to extend beyond his attainment of age 70 years upon his written request approved by the city manager.

(c) If, at the time of his separation from city employment as provided in this section, a member has 10 or more years of credited service he shall be retired and he shall receive a pension provided in section 20 if he is a covered member, or as provided in section 20.1 if he is a non-covered member.

PENSION—COVERED MEMBER:

Section 20. (a) Upon a covered member's retirement, as provided in this ordinance, he shall receive a straight life pension equal to the number of years, and fraction of a year, of his credited service multiplied by the sum of 1.18 per cent of the first \$4200 of his final average compensation plus 1.68 per cent of the portion, if any, of his final average compensation in excess of \$4200. Prior to the date of his retirement he may elect to receive his pension under an option provided in section 22 in lieu of a straight life pension.

(b) In accordance with such rules and regulations as the board may from time to time adopt, a covered member who retires prior to his attainment of age 65 years may elect to have his straight life pension actuarially quoted to provide an increased pension payable to his attainment of age 65 years and a reduced pension payable thereafter. His increased pension payable to his attainment of age 65 years shall approximate the sum of his reduced pension payable after his attainment of age 65 years and his estimated social security primary insurance amount.

PENSION—NON-COVERED MEMBER:

Section 20.1. Upon a non-covered member's retirement, as provided in this ordinance, he shall receive a straight life pension equal to the number of years, and fraction of a year, of his credited service multiplied by 1.68 per cent of his final average compensation. Prior to the date of his retirement he may elect to receive his pension as a straight life pension or under an option provided in section 22 in lieu of a straight life pension.

(b) In accordance with such rules and regulations as the board may from time to time adopt, a covered member who retires prior to his attainment of age 65 years may elect to have his straight life pension actuarially quoted to provide an increased pension payable to his attainment of age 65 years and a reduced pension payable thereafter. His increased pension payable to his attainment of age 65 years shall approximate the sum of his reduced pension payable after his attainment of age 65 years and his estimated social security primary insurance amount.

TERMINAL PAYMENT:

Section 20.2. In the event a retiree dies before he has received in straight life pension payments in aggregate amount equal to his accumulated contributions standing to his credit in the members savings fund at the time of his retirement, the difference between his accumulated contributions and the aggregate amount of straight life pension payments received by him shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the board. If there be no such designated person surviving the retiree, his estate, if any, shall be paid to his legal representative. No benefits shall be paid under this section on account of the death of a retiree if he elected to receive his pension under an option provided in section 22 in lieu of a straight life pension.

Section 21. In the event a member, who has 10 or more years of credited service, leaves city employment prior to his voluntary retirement age, for any reason except his retirement or death, he shall be entitled to a pension provided in section 20 if he is a covered member, or section 20.1 if he is a non-covered member, as if applicable section was in effect at the time he left city employment. His pension shall begin the first day of the calendar month next following the date his application for same is filed with the board on or after his attainment of age 60 years. If he withdraws his accumulated contributions from the members savings fund he shall thereupon forfeit his right to a deferred pension provided in this section. In no case shall

he receive service credit for the period of his absence from city employment, except as is specifically provided in this ordinance. Until the beginning date of his pension his accumulated contributions standing to his credit in the members savings fund shall be credited with regular interest.

PENSION OPTIONS:

Section 22. (a) Prior to the date of his retirement, but not thereafter, a member may elect to receive his pension as a straight life pension payable throughout his life, or he may elect to receive the actuarial equivalent at that time, of his straight life pension in a reduced pension payable throughout his life, and nominate a beneficiary in accordance with the provisions of option A, B or C, set forth below:

Option A — PENSION FOR 10 YEARS CERTAIN AND LIFE THEREAFTER: Under option A, subject to subsection (b) of this section, a retiree shall receive a reduced pension payable throughout his life with the provision that if he dies before he has received 120 monthly pension payments, the remainder of the period of 120 months to such person or persons, in equal shares, as the retiree shall have nominated by written designation duly executed and filed with the board. If no such designated person survives the retiree, such remaining monthly payments shall be continued and paid to the estate of the survivor of the retiree and his last surviving beneficiary.

Option B — 100% SURVIVOR PENSION (FORMERLY CALLED OPTION 2): Under option B, subject to subsection (b) of this section, upon the death of a retiree his reduced pension shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the board prior to the date of his retirement.

Option C — 50% SURVIVOR PENSION (FORMERLY CALLED OPTION 3): Under option C, subject to subsection (b) of this section, upon the death of a retiree one-half of his reduced pension shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the board prior to the date of his retirement.

(b) If any benefit is paid or becomes payable under section 30 on account of the death of a retiree, who elected to receive his pension under an option provided in subsection (a) of this section, no pension shall be paid his surviving beneficiary under the option elected by him. If no pension is payable to his surviving beneficiary, as hereinafter provided, and the retiree dies before he has received in pension payments an aggregate amount equal to his accumulated contributions standing to his credit in the members savings fund at the time of his retirement the difference between his accumulated contributions and the aggregate amount of pension payments received by him shall be paid to his designated beneficiary, if living, otherwise to the retiree's estate.

NON-DUTY DEATH PENSIONS:

Section 23. (a) A member who continues in the employ of the city on or after the date he either (1) acquires 20 years of credited service, or (2) attains age 55 years and has 10 or more years of credited service, may, at any time prior to the date of his retirement, elect option B provided in section 22 in the same manner as if he were then retiring from city employment, and nominate a beneficiary whom the board finds to be dependent upon him for at least 50 per cent of his support due to lack of financial means. Prior to the date of his retirement, but not thereafter, the member may revoke his election of option B and nominate a beneficiary, and he may again prior to the date of his retirement elect the said option B and nominate a beneficiary as provided in this subsection. Upon the death of a member who has an option B election in force his beneficiary, if living, shall immediately receive a pension under option B computed in the same manner as if the member had retired the day preceding the date of his death, notwithstanding that he might not have attained his voluntary retirement age. If a member has an option B election in force at the time of his retirement his election of beneficiary shall thereafter continue in force, unless prior to the date of his retirement he elects to receive his pension as a straight life pension or under another option provided in section 22. No pension shall be paid under this subsection on account of the death of a member if any benefits are paid or will become payable under section 30 on account of his death.

(b) A member who continues in the employ of the city on or after the date he either (1) acquires 20 or more years of credited service, or (2) attains age 55 years and has 10 or more years of credited service, and in either case does not have an option election in force as provided in subsection (a) of this section, and (1) dies while in the employ of the city, and (2) leaves a spouse, his spouse shall immediately receive a pension computed in the same manner as if the member had (1) retired the day preceding

the date of his death, notwithstanding that he might not have attained his voluntary retirement age; (2) elected option B provided in section 22, and nominated his spouse as beneficiary. No pension shall be paid under this subsection on account of the death of a member if any benefits are paid or will become payable under section 30 on account of his death.

DISABILITY RETIREMENT:

Section 24. Upon the application of a member, or his department head, a member who (1) is in the employ of the city, (2) has 10 or more years of credited service, and (3) becomes totally and permanently disabled for duty in the employ of the city, by reason of a personal injury or disease, may be retired by the board; provided, the medical director, after a medical examination of the member, reports to the board (1) that the member is physically or mentally totally disabled for duty in the employ of the city, (2) that such disability will probably be permanent, and (3) that the member should be retired. This section is subject to section 25.

DISABILITY RETIREMENT—SERVICE REQUIREMENT WAIVED:

Section 25. The credited service requirement of at least 10 years, contained in section 24, shall be waived for a member if the board finds that (1) his total and permanent disability is the natural and proximate result of a personal injury or disease arising out of and in the course of his actual performance of duty in the employ of the city, and (2) he is in receipt of workmen's compensation on account of his physical or mental disability.

DISABILITY PENSION—COVERED MEMBER:

Section 26. Upon a covered member's retirement on account of disability, as provided in section 24, he shall receive a disability pension computed according to section 20, exclusive of subsection (b). His disability pension payable to his voluntary retirement age shall not be less than 16.8 per cent of his final average compensation; nor shall his disability pension payable after his voluntary retirement age be less than 11.8 per cent of the first \$4200 of his final average compensation and 16.8 per cent of the portion, if any, of his final average compensation in excess of \$4200. His disability pension shall be subject to section 29. Prior to the date of his retirement he may elect to receive his disability pension under an option provided in section 22 in lieu of a straight life pension.

DISABILITY PENSION—NON-COVERED MEMBER:

Section 27. Upon a non-covered member's retirement on account of disability, as provided in section 24, he shall receive a disability pension computed according to section 20.1. His disability pension shall not be less than 16.8 per cent of his final average compensation, and shall be subject to section 29. Prior to the date of his retirement he may elect to receive his disability pension under an option provided in section 22 in lieu of a straight life pension.

ADJUSTMENT OF DISABILITY PENSION:

Section 28. If a retiree is in receipt of workmen's compensation on account of his disability arising out of and in the course of his city employment, upon termination of his workmen's compensation period, or at his attainment of age 65 years, whichever occurs first, he shall be given service credit for the period he was in receipt of his disability pension and his pension shall be recomputed to include such additional service credit. His disability pension so increased shall not be less than his weekly workmen's compensation award converted to an annual basis.

RE-EXAMINATION OF DISABILITY RETIREES:

Section 29. (a) At least once each year during the first 5 years a retiree is receiving a disability pension, and at least once in each 3 year period thereafter, the board may require the retiree, if he has not attained his voluntary retirement age, to undergo a medical examination to be made by the medical director. Should the retiree refuse to submit to such medical examination in any such period the board may suspend payment of his disability pension until his withdrawal of such refusal. If the medical director reports to the board that the retiree is physically able and capable of resuming employment with the city he shall be returned to city employment and his disability pension shall terminate; provided the report of the medical director is concurred in by the board. In returning the retiree to city employment reasonable latitude shall be allowed the city in placing him in a position commensurate to his type of work and rate of compensation at the time of his retirement.

(b) A disability retiree who is returned to city employment, provided in this section, shall again become a member of the retirement system. His credited service in force at the time of his retirement shall be restored to his credit. He shall be given service credit for the period he was receiving a disability pension if within such period he was in receipt of workmen's compensation on account of his total and permanent disability arising out of and in the course of his city employment; otherwise he shall not be given service credit for such period.

DEATH IN LINE OF DUTY:

Section 30. In the event (1) a member dies as the result of a personal injury or disease arising solely and exclusively out of and in the course of his city employment, or (2) a disability retiree, while in receipt of workmen's compensation on account of his city employment, dies prior to his voluntary retirement age as the result of the same injury or disease for which he was retired, and in either case (1) or (2) such death, injury or disease resulting in death, is found by the board to have been the result of his actual performance of duty in the employ of the city, the following applicable benefits shall be paid, subject to the condition that the eligible beneficiaries apply for and are granted workmen's compensation on account of the death of the member or retiree.

(a) In the case of a deceased member, his accumulated contributions standing to his credit in the members savings fund at the time of his death shall be paid according to section 32.

(b) His spouse shall receive a pension equal to the spouse's weekly workmen's compensation converted to an annual basis. The pension shall begin upon termination of the spouse's workmen's compensation period and shall terminate upon the spouse's remarriage or death. The term "spouse" shall not include any person whom a retiree married after his retirement.

(c) His unmarried child or children under age 18 years shall each receive a pension equal to such child's weekly workmen's compensation converted to an annual basis. A child's pension shall begin upon termination of the child's workmen's compensation period and shall terminate upon the child's adoption, marriage, or death, whichever occurs first. If a spouse's pension, provided in paragraph (b) above, is terminated each child's pension shall be increased by an equal share of the spouse's pension.

(d) His parents shall each receive a pension equal to the parent's weekly workmen's compensation converted to an annual basis. A parent's pension shall begin upon termination of the parent's workmen's compensation period and shall terminate upon the parent's remarriage or death.

SUBROGATION RIGHT:

Section 31. If a person becomes entitled to a pension, payable by the retirement system, as the result of an accident or disease caused by the act of a third party the city shall be subrogated to the rights of the said third party to the extent of the benefits the city pays or becomes liable to pay.

RETURN OF ACCUMULATED CONTRIBUTIONS:

Section 32. (a) Should any member cease to be an officer or employee of the city before he has satisfied the age and service requirements for retirement provided in section 18, for any reason except his disability retirement or death, he shall be paid his accumulated contributions standing to his credit in the members savings fund upon his written request to the board.

(b) Should any member die and no pension becomes or will become payable by the retirement system on account of his death, except as provided in section 30, his accumulated contributions standing to his credit in the members savings fund at the time of his death shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the board. If no such designated person survives the member has accumulated contributions shall be paid to the member's estate.

(c) In the event any member dies, without heirs and without having nominated a beneficiary as provided in subsection (b) of this section, his accumulated contributions standing to his credit in the members savings fund, at the time of his death, may be used to pay his burial expense, not to exceed a reasonable sum determined by the board; provided, that the member leaves no other estate sufficient for such purposes.

(d) Payments of accumulated contributions, as provided in this section, may be made in a single sum, or in installments, as the board shall from time to time determine.

MEMBERS SAVINGS FUND:

Section 33. (a) The members savings fund (formerly called annuity savings fund) shall be the fund in which shall be accumulated at regular interest, the contributions deducted from the compensations of members, and from which shall be made refunds and transfers of accumulated contributions, as provided in this ordinance.

(b) A covered member's contributions to the retirement system shall be the sum of 3 per cent of the first \$4200 of his annual compensation and 5 per cent of the portion, if any, of his annual compensation in excess of \$4200. A non-covered member's contributions to the system shall be 5 per cent of his compensation.

(c) The officer or officers responsible for preparing the payroll shall cause the contributions, provided in this section, to be deducted from the compensations of each member on each and every payroll period, so long as he remains a member. The members' contributions provided for herein shall be made notwithstanding that the minimum compensation

provided by law for any member shall be changed thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein. Payment of his compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by him during the period covered by such payment, except

